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MARCH 16 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Miller et al.

Serial No: 10/089,739

Filed: October 6, 2000

For: *Fab I Inhibitors*

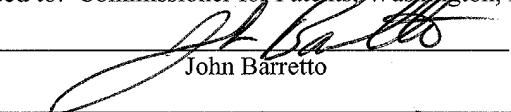
Atty Docket No.: IPT-071.01

Art Unit: Not Known

Examiner: Not Known

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on **March 31, 2003**.

  
John Barretto

Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR § 1.97 (b)(3)**

Sir:

Submitted herewith on Form PTO-1449 is a list of publications known to Applicants and/or their Attorney/Agent in compliance with the requirement of 37 C.F.R. § 1.56. A copy of each publicly available document is also being submitted herewith.

Applicants have listed dates of publication on the attached PTO-1449 for the cited documents based on information presently available to the undersigned. However, the listed publication dates should not be construed that the information in the cited documents was actually published or otherwise publicly available on the date indicated.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form 1449.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that each or all of the listed documents are material or constitute "prior art." Further, if the Examiner applies any of the documents as prior art against

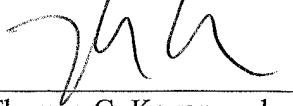
any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Moreover, the Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Under 37 C.F.R. §1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 C.F.R. 1.17(p) to our **Deposit Order Account No. 06-1448**.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1000.

Respectfully submitted,

FOLEY HOAG LLP

By:   
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Dated: March 31, 2003

**Customer No.: 25181**

Patent Group

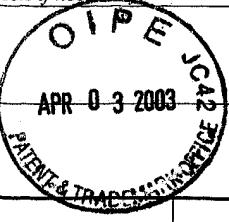
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Form PTO-1449 <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>			Docket Number (Optional) IPT-071.01	Application Number 10/089,739		
			Applicant Miller et al.			
			Filing Date October 6, 2000	Group Art Unit		
<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<b>FOREIGN PATENT DOCUMENTS</b>						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES      NO
BA	WO 9857952 A	12/23/98	Germany			
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages Etc.)</i>						
CA	Supplementary European Search Report. EP 00 97 3420					
CB	Jianxiong, L. et al.; "Synthesis and Antistaphylococcal Activity of Nematophin and Its Analogs" Bioorganic & Medicinal Chemistry Letters, Oxford, GB, vol. 7, No. 10, 20 May 1997 (1997-05-20), pages 1349-1352, XP004136332 ISSN:0960-894X					
EXAMINER				DATE CONSIDERED		